## UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

| ROBERT GUTIERREZ, |   |
|-------------------|---|
| Plaintiff,        | ) Case No. 08 CV 4385                       |
| v.                | ) Honorable Samuel Der-Yeghiayan, Presiding |
| MENARD, INC.,     | ) Magistrate Judge Jeffrey Cole             |
| Defendant.        | )   |

#### NOTICE OF MOTION

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On <u>September 9, 2008</u>, at <u>9:00 a.m.</u>, or as soon thereafter as counsel may be heard, I shall appear before the Honorable Samuel Der-Yeghiayan in Room 1903 of the Dirksen Federal Building, 219 S Dearborn St., Chicago, Illinois and then and there present MENARD, INC.'S MOTION TO COMPEL ARBITRATION, EXHIBITS A, B, AND C copies which are attached hereto.

### s/Garry B. Zak

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### **CERTIFICATE OF SERVICE**

I hereby certify that on September 2, 2008, I electronically filed MENARD, INC.'S MOTION TO COMPEL ARBITRATION, EXHIBITS A, B, AND C with the Clerk of the Court using the CM/ECF system which will send notices to counsel identified above.

# s/Garry B. Zak

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